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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Fifty-sixth session

SUMMARY RECORD OF THE 1375th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 7 March 2000, at 3 p.m.

Chairman: Mr. SHERIFIS

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GE.00-40994 (E)

The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 7) (continued)

Second to fourth periodic reports of Zimbabwe (CERD/C/329/Add.1; HRI/CORE/1/Add.55)

1. At the invitation of the Chairman, Mr. Chinamasa, Mr. Chidyausiku, Mr. Chifamba, Mr. Zavazava and Mr. Maonera (Zimbabwe) took their places at the Committee table.

2. Mr. CHINAMASA (Zimbabwe) said he was pleased to continue the dialogue with the Committee, since it was an essential element in the fight against racial discrimination. He informed the Committee that, while progress had been made in many areas, the situation had remained unchanged in others and had worsened in one or two others. He reminded the Committee of his country's colonial past and said that it would take time to remove the last vestiges of discrimination by the minority against the majority.

3. In the area of education, he acknowledged that, owing to a lack of resources for the public school system, the Government had been forced to authorize private schools. Their high fees excluded many black pupils, with the current ratio of white to black pupils being approximately 60 to 40. Only with increased economic development would more black parents be able to afford to send their children to such schools. The Government had, however, made some progress in encouraging private schools to offer scholarships and bursaries to students in need. In fact, no schools in Zimbabwe were strictly private, since the Government continued to pay salaries to all teachers, although the private schools supplemented their salaries.

4. With regard to minority language rights, the Government had decided to have minority languages taught up to grade 3 in areas where minorities such as the Tonga, Venda and Sotho were dominant but implementation had been hindered by the lack of teaching materials and trained teachers, although progress had been made in the broadcasting of news and educational programmes in minority languages. In the field of human rights education, a decision had been made to incorporate the teaching of the culture of human rights into major subject areas called "carrier subjects" such as history and language which, since they were examinable, would ensure greater commitment on the part of students. Full implementation of that decision had, however, been delayed pending the development of appropriate teaching materials.

5. Regrettably, the situation seemed to have worsened in the area of land distribution. He recalled that during the colonial era some 4,000 white farmers had occupied more than one half of the land and land redistribution had been a major demand during the struggle for independence. Unfortunately, largely because of a lack of resources to compensate white farmers for appropriation of their land, the Government had been unable to redress the situation. Consequently, some ex-combatants of the liberation struggle had recently taken the law into their own hands and occupied farms in an attempt to force the Government to act. He expressed the hope that following the elections a lasting solution would be found to the land issue.

6. With regard to marriage, marriage relationships had in the past been covered by both general and customary law. The latter was ethnically based and, for example, recognized polygamy, but affected Africans only. A decision had been taken to enact a unified marriage laws act which would continue to recognize both monogamous and polygamous marriages for all ethnic groups. Previous problems regarding inheritance rights had been resolved and the relevant current legislation was fair and neutral and did not discriminate on the basis of sex or race.

7. With respect to legislation to eliminate all forms of racial discrimination, he believed that the provisions of the recently passed Prevention of Racial Discrimination Act were wider in scope than required under the Convention and were not confined to race and nationality, as had been acknowledged by the Country Rapporteur. Legislation alone, however, could not eliminate discrimination. The most effective way of dealing with it was to implement appropriate administrative measures, as the Government was attempting to do in the area of land reform, where the current situation perpetuated discrimination.

8. In response to the Committee's questions and comments about specific articles of the Convention following its consideration of the initial periodic report of Zimbabwe, he referred the Committee to the document he had distributed, but wished to touch on a few particular points. With regard to article 2 (c), no discriminatory legislation was currently in effect. In connection with article 3, he had already explained his Government's position on private schools. With regard to article 4, the recent Law and Order Maintenance Act criminalized racist statements and propaganda and prohibited racist organizations. With regard to article 5, the Ombudsman was empowered to investigate human rights abuses. Any problems were due to a lack of resources, but the enabling legal environment for the Ombudsman's work did exist. To the best of his knowledge, no cases involving racial discrimination had been brought before the courts although he recognized that more comprehensive reporting was necessary. He noted that some allegations had been made in the press, for example concerning property transactions. Current legislation would allow for cases of discrimination to be brought before the courts, but he stressed the difficulty of proving, for example, that a property owner had refused to rent or sell property to someone specifically because they were black.

9. In conclusion, he looked forward to an open dialogue with the Committee and would respond frankly to any questions the Committee wished to ask.

10. Mr. NOBEL (Country Rapporteur) commended the interesting report and the frankness and honesty of the oral presentation. He recalled the historical background of Zimbabwe - minority rule until 1980, followed by ethno-political conflict between the Shona majority and the Ndebele minority. A political settlement of that conflict had been sought in 1987 through the merger of the Shona-dominated Zimbabwe African National Union (ZANU) and the largely Ndebele Zimbabwe African People's Union (ZAPU).

11. He noted that other United Nations treaty bodies, the United States Department of State and Amnesty International had been critical of the level of respect for human rights in the country and questioned whether discrimination against the Ndebele and other minorities had truly been eliminated. The Minority Rights Group had reported that living standards for ordinary Ndebele citizens had not improved and that they were denied equal access to social and

economic benefits. There were allegations that investment in the water supply system and the development of the regional capital Bulawayo had been deliberately blocked. The cultural rights of the Shangaan and Venda peoples, who accounted for 2 per cent of the population, had been only partially recognized, and leaders of the Tonga people displaced after the construction of the Kariba dam in the 1950s complained that economic and cultural support to them continued to be inadequate. He would welcome the delegation's comments on those problems.

12. In 1996, the Committee had noted that the establishment of the Office of the Ombudsman had been a positive step but had expressed the hope that its mandate would be broadened in order to make it more efficient. The Ombudsman Amendment Act of 1997 annexed to the report of Zimbabwe did seem to broaden the Ombudsman's mandate. If that was the case, however, he wondered why in August 1998 the Human Rights Committee had also seen fit to recommend that the mandate of the Ombudsman should be broadened. Rather than being appointed by the President, the Ombudsman should be appointed by Parliament, report to Parliament, have his budget decided by Parliament and enjoy parliamentary immunity. He should also have the power to investigate how public power was used by all public officials. In that context, it gave cause for concern that the Act gave the Minister of Justice the power to arbitrarily put an end to an investigation by the Ombudsman in cases which were deemed to be not in the public interest, or which would threaten national security

13. Paragraph 3 of the periodic report stated that anyone running a private school had to be duly authorized and registered by the public authorities but did not specify what criteria needed to be met in order to receive authorization. The paragraph also stated that no fees or charges should be increased by more than 10 per cent without the approval of the Secretary for Education. He requested more information on who paid those fees, exactly what charges and fees might be increased and on what basis the Secretary for Education decided whether or not to approve an increase of more than 10 per cent.

14. Paragraph 4 referred to problems faced while trying to implement policy regulations to ensure a better racial balance in private schools. He was encouraged by those efforts since the Committee had recommended that steps should be taken by the Government and the schools to reduce the negative consequences of the racial segregation created by the parallel system of public and private schools. He requested more information on the kinds of problems the Government was encountering so that the Committee could discuss ways of solving them with the delegation. He noted with interest that the Government funded all teachers' salaries in both private and public schools, and that the teaching of minority languages was of serious concern to the authorities. The Government's position with regard to teaching schoolchildren in their mother tongues was commendable even though that policy ran up against material constraints. The information provided in the report on the teaching of human rights, especially the idea of identifying "carrier" subjects, was innovative and constructive. It would be very interesting to hear more about that approach in the future and about progress made.

15. Regarding discrimination in employment, the report cited the Public Service Act and provided information on measures taken to counter discrimination in the civil service. What legal procedures existed for the enforcement of the Act, and what remedies were proposed? Under the Convention, discrimination was to be countered in all sectors, public and private. Were there any instruments prohibiting discrimination in the private sector?

16. During its consideration of the previous report the Committee had requested further information on land distribution, and the Government had replied by supplying a description of the resettlement programme. Did the phrase "5 million hectares of land in the large-scale commercial farming sector" refer to land under white, black or mixed ownership? In the criteria for becoming a beneficiary of the land redistribution programme, paragraph 26 (c) mentioned that the applicant must be able to command sufficient funds in cash and fixed assets to carry out the intended programme. Were there no plans, for example through the granting of loans, to assist poor black farmers who were fully able to cultivate the land but lacked financing?

17. The report described the Prevention of Discrimination Bill, and he looked forward to receiving a copy of the Act as adopted, referred to in the oral presentation. When would it enter into force?

18. It was to be regretted that the report appeared to confuse the purposes of articles 2 and 4, and the difference should be emphasized. The former obliged the Government to take positive action to combat racial discrimination, while the latter required the criminalization of racist propaganda, organizations and activities.

19. Refuges, migrants and other foreigners in Zimbabwe reportedly lived in poor circumstances. For example, the Committee on the Elimination of Discrimination Against Women had noted that poor, migrant and other marginalized women were particularly vulnerable, and often had to resort to prostitution, which was a criminal act in Zimbawe. Zimbabwean law excluded foreign spouses of nationals from claiming Zimbabwean citizenship, thus depriving them of the rights to reside in or enter the country that were applicable to citizens. Similarly, children born to Zimbabweans abroad were not entitled to citizenship. On both counts, the Human Rights Committee had called on the Government to bring the law into conformity with the International Covenant on Civil and Political Rights. Amnesty International had reported an incident of police brutality against refugees occupying the premises of the Office of the United Nations High Commissioner for Refugees (UNHCR).

20. It was a source of satisfaction that in 1997 Zimbabwe had ratified the amendments to article 8 of the Convention, following a recommendation by the Committee. Were there any plans to publish the Government's report and the Committee's concluding observations? Did the Government plan to make the declaration to allow for the submission of individual complaints under article 14?

21. Mrs. ZOU Deci said that the Government of Zimbabwe had made considerable progress since the colonial period, but that certain problems persisted, particularly the question of land redistribution. Some 70 per cent of the population was rural, and 70,000 white farmers held 70 per cent of the country's rich farmland. That was an obstacle not only to economic development, but also to the eradication of inequalities among the races. The Government had resolved to settle the land problem, and had described its programme in the report. Did "privately owned land" mentioned in paragraph 25.1 refer to the 8.3 million hectares of land mentioned in paragraph 24 (b)? Were the 8.3 million hectares in question exclusively the property of white farmers? What was meant by land "acquired" in paragraph 25.1? Would it be expropriated or purchased and, in the latter case, at what price? The report further stated that people would be able to file applications to receive the farm units. Would such applicants

eventually pay for the land, and if so, how much? Were land prices reasonable, and affordable by poor black farmers? It was not clear whether all the applicants for land redistribution must be black, and whether there were many blacks who met the stringent requirements to qualify as beneficiaries described in the report.

22. Concerning the basic human right to education, which was crucial to overcoming inequality, the report described the background of unequal access for blacks and whites, but provided no information on the current situation. How many blacks were engaged in intermediate and higher education? Had the illiteracy problem been solved?

23. Mr. de GOUTTES said that the presence, once again, of Zimbabwe's Attorney-General was a guarantee of quality and expertise in the dialogue between the delegation and the Committee.

24. The adoption of the Prevention of Discrimination Act was a welcome development. Did that law cover all forms of discrimination, or did it focus on discrimination on racial grounds? Did it fulfil the requirements of article 4 of the Convention? From the oral presentation, he had understood that the Ombudsman had been empowered to investigate complaints relating to human rights and racial discrimination. Had any cases of racial discrimination been brought to the Ombudsman's Office? The delegation had recognized that problems persisted with regard to education and land distribution, and had highlighted the Government's concern for those matters, but had not provided any examples of complaints of racial discrimination which had been brought before the courts.

25. Following the discussion of Zimbabwe's initial report, the Committee had expressed the hope that the Inter-Ministerial Committee on Human Rights and Humanitarian Law would disseminate the State party's report and the Committee's concluding observations, as well as the follow-up to the Committee's recommendations. Had it done so? Had the Government instructed prosecutors to take effective action against racial discrimination and to collect data on the number of complaints, prosecutions and convictions for racist acts? The Government must aid and support victims and encourage the police and judicial authorities to prosecute acts of discrimination.

26. He asked for the head of delegation's opinion as to whether respect for local customs and traditions could justify the maintenance of polygamy as described in the section of the report devoted to marriage laws, and whether the need, albeit legitimate, to penalize racist acts justified sentences which could include imprisonment with forced labour. Lastly, he asked whether the Attorney-General could explain why his country had given asylum to the former head of State of Ethiopia, Mr. Mengistu, who was wanted in Ethiopia for crimes against humanity, including some which would no doubt fall within the purview of the Convention.

27. Mr. ABOUL-NASR pointed out that the problem of land distribution, for all its seriousness and the danger of social unrest, was not unique to Zimbabwe, and that if there was sufficient political will measures could be taken to ease the process. One way was by limiting, without discrimination, the amount of land which could belong to a single landowner. Certain solutions to the problem of financing land purchases by the poor were available, such as

government credits, World Bank loans to fund government purchases, or payment in instalments over an extended period. He was confident that a just solution could be found and the risk of social unrest could be avoided.

28. Ms. JANUARY-BARDILL observed that the question of land reform was an emotional as well as a material issue, as she had seen in her own country, South Africa, and that finding a solution would not be easy. The criteria for access to land outlined in the report appeared to be highly focused on credentials and qualifications. To what extent could a farmer's lengthy practical experience be taken into account? What support mechanisms would be set up to assist people in the five-year development plans? The report indicated that individuals could acquire holdings, but did not specify whether land could be acquired communally. In South Africa, such communal claims had facilitated the productive use of the land by tribal groups, for example. Had the Government established any financial facilities, such as development banks, to help in land acquisition? Lastly, the Government might consider delegating responsibility for administering the land reform policy to an independent body, so as to ensure a degree of impartiality in the process.

29. Mr. SHAHI said he associated himself with the remarks of the Country Rapporteur and other members, notably Mrs. Zhou Deci. The statement in paragraph 23 of the report to the effect that agricultural land was a finite resource and thus the ever-increasing demand for it could never be satisfied provided a realistic assessment of the situation regarding land distribution. He noted that some 70,000 families had already benefited from the redistribution programme, but wondered how many more would be satisfied, or remain unsatisfied, particularly in the rural areas. He noted that some privately-owned land would be acquired by the State authorities. From personal experience he was keenly aware of the difficulties involved in land redistribution. He hoped that Zimbabwe's experience would be more satisfactory.

30. Referring to the legislation adopted recently on the prevention of discrimination, he welcomed the statement in paragraph 38 of the report that it would be broader in scope than was strictly required by the Convention. However, when drafting the legislation, closer attention should have been paid to the provisions of article 4 of the Convention, which would not be fully covered in the new Act.

31. The information contained in the report with respect to article 5 of the Convention was confined to marriage laws. Since article 5 in fact covered a wide range of human, civil, economic, social and cultural rights, he looked forward to more comprehensive information on the implementation of the article in Zimbabwe's next periodic report.

32. With regard to the Office of the Ombudsman, he expressed the hope that the shortage of staff experienced in human rights matters would be overcome in the near future. In general, Zimbabwe's efforts in the field of human rights education were laudable.

33. He suggested that greater attention should be paid to the general guidelines regarding the form and contents of reports to be submitted by States parties under article 9, paragraph 1, of the Convention.

34. Mr. BRYDE said that, if he had understood the information contained in the report correctly, the purpose of the land reform was not to put all large-scale commercial units at the disposal of landless people; some would be acquired by the State authorities without any compensation to their owners, while others would remain privately owned. Such a system left considerable power in the hands of the Government and also entailed the risk of discrimination arising between different landowners. It was therefore advisable for the system to be monitored by an independent body. However, what criteria were there for selecting farms to be acquired by the State? Furthermore, was there any judicial control to ensure that such criteria would be met?

35. Mr. PILLAI welcomed the attention being paid by Zimbabwe to education, especially human rights education. However, it would not suffice to include human rights education in the national curriculum. It was also important to find suitable teachers who observed human rights values in their daily lives and to provide them with appropriate training. Different teaching methods would be required at university level, where the focus should be on international human rights standards and mechanisms. A further aspect of human rights education which must not be overlooked was the special training required for civil servants. All too often in the former colonies civil servants retained colonial attitudes which were not conducive to the promotion of human rights. Lastly, noting that the programme of human rights education in schools would not focus specifically on racial discrimination, he stressed the importance of that aspect in a country like Zimbabwe with such cultural and linguistic diversity.

36. Mr. DIACONU commended the delegation's frank attitude to the dialogue with the Committee. He applauded the efforts of the Zimbabwean Government to eliminate discrimination in education and to promote minority languages. While welcoming the adoption of legislation on the prevention of discrimination, he endorsed Mr. Shahi's comment that it was not in full conformity with the provisions of article 4 of the Convention.

37. He failed to understand how the adoption of the Public Service Act in 1996 would ensure that there was no racial discrimination in the public and private sectors, as implied in paragraph 19 of the report, and sought clarification in that regard.

38. More information should have been provided in the report on legislation to implement the wide-ranging provisions of article 5 of the Convention; he hoped that it would be provided in the next periodic report.

39. Mr. BANTON requested the delegation to provide the Secretariat with a copy of the final version of the Prevention of Discrimination Act. He was particularly concerned about the availability of State party reports and the Committee's concluding observations thereon to the general public. Posting them on the Internet was a particularly economical solution provided that the requisite technology was available. In view of Zimbabwe's plans to improve human rights teaching, steps should be taken to ensure that instruments such as the Convention and relevant reports were accessible to teachers and other specialists. In Zimbabwe was it possible to gain access to such reports, either from the Ministry of Justice or from a public library, prior to their consideration by the relevant treaty body?

40. The CHAIRMAN said by way of general comment that he attached great importance to the question of the availability of State party reports and the dissemination of information about

the Convention and work of the Committee, not only to the experts concerned, but also to the public at large. The Internet solution would not be relevant to countries where it was not accessible to large sectors of the population. An appropriate reference to the matter must be included in the Committee's model concluding observations.

41. Mr. ABOUL-NASR, clarifying his earlier statement in order to dispel any misunderstanding, said that while land reform was certainly a very difficult task, it was not an impossible one. Many countries had experience which other countries could draw on and adapt to their own needs.

42. As to the availability of States parties' reports, he pointed out that access to the Internet in countries like Egypt was very limited. Moreover, on account of the country's high rate of illiteracy, making the printed version of such reports available would be of only relative use. Clearly some further reflection was required on better ways and means of publicizing human rights instruments and related reports in future.

43. Mr. CHINAMASA (Zimbabwe) said that Zimbabwe was committed to complying with the provisions of the Convention and that its failure to do so was largely due to a problem of resources. The Country Rapporteur had raised an issue which had haunted Zimbabwe for a very long time, namely the conflict between the Shona and Ndbele people. Some background information would explain the reasons for that recurring conflict.

44. There had been two tragic moments in the history of Zimbabwe. The first was the colonial period which had ended in armed conflict resulting in the declaration of independence in 1980. Following independence, rightly or wrongly, a policy of reconciliation had been adopted under which amnesties had been granted to the perpetrators of abuses under colonialism as well as members of the four different armies that had taken part in the conflict. Thereafter the two main liberation movements had formed a coalition Government as the political parties ZAPU and ZANU.

45. The second tragic moment had been triggered by the discovery of a large arms cache belonging to one of the former liberation armies, which had led to a further armed conflict between the Government and ZAPU, which represented the Ndbele ethnic group. The positive aspect of that conflict, however, was that in 1987 a Unity Agreement had been forged between the two political parties ZANU and ZAPU. It was worthwhile noting that the overwhelming majority of the population was Shona (65 per cent), with the Ndbele representing the second largest group (15 per cent), and the remainder being made up of smaller minority groups such as Tonga, Venda, Sotho, and people of Caucasian and Asian origin. Clearly, since people tended to vote for political parties representing their own ethnic groups, the Ndbele would never have had the opportunity to share power without the Unity Agreement. A further benefit of the Government of National Unity had been that politicians of Ndbele origin had begun to see issues from a national rather than a minority perspective. Some people belonging to the Ndbele minority held very high-ranking positions in the present Government.

46. There had never been a deliberate policy of marginalization. Some areas were marginalized owing to uneven development in the country - a problem that had not yet been fully resolved. The marginalized areas in question were not those typically inhabited by the Ndbele

people, but rather by the Tonga, Sotho and Venda. Such uneven development, not only in terms of land but also in terms of infrastructure, was a legacy of colonialism. The colonialists had taken the pick of the land and had driven indigenous communities to the more peripheral and less fertile areas of the country. The only decent health and education facilities in such areas had been built following independence, but much work remained to be done before they could be brought up to the same standard as the rest of the country.

47. He had the impression that people in some quarters were happy to highlight the divisions, difficulties and uneven development which Zimbabwe had inherited and had not yet been able to overcome. It was not true that investment in certain areas had been blocked. On the contrary, his Government was working to encourage foreign investment in all parts of the country. He would have expected some understanding of Zimbabwe's difficulties in creating an environment conducive to attracting foreign investment, whether to Harare or to the Bulawayo area.

48. The Ombudsman was appointed by the executive. To allay the fears of the Committee, he stressed that the Ombudsman was not a lame duck. For one thing, the conditions of her appointment were the same as those of a judge, in terms of both salary and irrevocability. The point was to give her the independence she required to investigate the exercise of public power. The Ombudsman's function, which had originally been confined to investigating administrative action, had been enlarged through an amendment to allow investigation of human rights violations. The allocation of resources was decided by the Minister for Finance, who brought a budget to Parliament, which could then ask for more resources in a particular area. The main problem facing the Ombudsman had not been a lack of independence, but a lack of resources. Initially, action taken by the army and the police had been excluded from the Ombudsman's remit, but it had soon become clear that over 90 per cent of the complaints had concerned the army or the police; the Ombudsman's terms of reference had then been amended to cover those areas as well. Today, nothing was excluded from the Ombudsman's scrutiny.

49. He had been asked to expand upon paragraph 4 of the report; he hoped that in the next report, further information would be included on the number of private schools. It was difficult, however, to provide such figures in a multicultural, multi-ethnic society without raising suspicion in the different ethnic groups.

50. With regard to paragraph 3, the Country Rapporteur had asked about the criteria governing the Secretary for Education's approval of an increase in school fees. If the Ministry of Education concluded that an increase in fees was not meant to maintain standards but as an instrument of exclusivity, then the increase would be refused. The Government's goal was to achieve an ethnic balance in the country's schools and make them accessible to and affordable by the whole population.

51. On a point of clarification concerning paragraph 19, he said that there were two pieces of legislation on employment in Zimbabwe: the Labour Relations Act which governed employment in the private sector and contained provisions prohibiting racial discrimination in hiring, promotion and advertisement, and the Public Service Act covering the public sector. The Prevention of Corruption Act, a copy of which would be provided to the Committee, was already in force, but as yet there was no case law.

52. On the issue of family law, Zimbabwe had done more than any other African country to reform its laws and bring them into line with the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the International Convention on the Elimination of All Forms of Racial Discrimination. The one area which remained outstanding was that of marriage. It had been asked whether perpetuating polygamy was consistent with respect for human rights. His Government was of the view that that practice could not be abolished overnight, but could only be done away with gradually. Many people were already polygamously married. Given Zimbabwe's mores, legislation to prohibit polygamy would be very unpopular and would not be approved in Parliament.

53. He was surprised at the concern expressed about the rights of refugees and migrants: in that area, Zimbabwe's record was second to none. Zimbabwe had a large population from Malawi, Zambia and Mozambique, a legacy of the colonial period. Upon independence, it had given persons from those countries already living in Zimbabwe the right to acquire citizenship, which had in effect removed the class of peasantry otherwise called migrants. Some had chosen to retain the citizenship of their countries of origin, having been given the choice because Zimbabwe unfortunately did not allow dual citizenship.

54. Legislation on citizenship gave preference to female spouses of Zimbabwean citizens; male spouses of female Zimbabwean citizens did not have the same rights. However, a bill was currently before Parliament to introduce equal treatment of both female and male spouses of Zimbabwean citizens.

55. He was not aware that there was any problem with migrant women and prostitution. Legislation prohibited soliciting in public; that applied to men and women alike.

56. As to whether there were any plans to publish the country report and the Committee's recommendations in Zimbabwe, his Government had frankly been remiss on that score and would do what it could to remedy the situation. He hoped that some progress could be reported when Zimbabwe presented its next periodic report. He would ask his Government to consider adopting a policy allowing for individual complaints under article 14.

57. Anyone familiar with Zimbabwe knew of its excellent record concerning investment in education, although the Government was now having difficulty in sustaining it. At independence in 1980, there had been about 600,000 pupils enrolled in primary schools; today there were 3.5 million. There had been 67,000 pupils in secondary schools; today there were 1.5 million. There had been one university with an enrolment of 1,500 students; today it had 12,000, and the country had five State universities in all, as well as two private universities. In 1980, the sole university had had only about 200 blacks enrolled out of a total of 1,500 students. Today, the university's student body was almost entirely black, because, after independence, whites had sent their children to private schools. Once a student qualified for enrolment, tuition and room and board were State-paid. Unfortunately, that was one of the achievements that would be very difficult to maintain, and his Government was attempting - so far unsuccessfully - to introduce cost recovery. In any case, Zimbabwe's literacy rate of 82 per cent showed how much progress had been made in the area of education.

58. He said that he would look into what could be done to address the provisions of article 5 more fully in the next report.

59. Concerning article 4, he believed that the provisions of the Prevention of Discrimination Act did in fact comply with the Convention, but would welcome any suggestions for improving them. Every effort would be made to give more complete information on the implementation of article 6 in Zimbabwe's next periodic report.

60. Replying to a question on whether a punishment of one year's imprisonment with labour was not too heavy (para. 36), he said that in a multi-ethnic society, racism was like a powder-keg. If it was handled carelessly, it could have disastrous consequences, such as riots and loss of property. The punishment was therefore appropriate and showed how seriously Zimbabwe took issues of racial discrimination.

61. As to why Zimbabwe had granted asylum to Mr. Mengistu despite the fact that he had been accused of crimes against humanity, he said that it was very easy to be wise in retrospect. Mr. Mengistu had been admitted to Zimbabwe at the request of the United States and Canada, because it had been felt that granting him asylum would lessen the suffering brought about by the conflict in Ethiopia. In any case, Zimbabwe was not the only, or the last, country to perform such a service.

62. Mr. Pillai had rightly pointed out that human rights education was not merely a matter of curricula, but also of teachers. The best approach was to introduce such issues into the curriculum of teacher training colleges and in refresher courses. The teaching of human rights at university level was unfortunately confined to the law faculty.

63. Human rights training in the armed forces, prisons and the police was taking place with the assistance of the International Committee of the Red Cross (ICRC). and was an area in which the international community had provided considerable financial assistance. Such courses were much appreciated.

64. The land issue was an emotional question to which there were no easy answers. Land, cattle and goods had been taken from blacks during the colonial period without any payment or compensation, and the process had continued until the early 1970s; hence, it was still very fresh in people's minds. The practice was not confined to Zimbabwe; it had also occurred in South Africa, Namibia and Botswana, and was the legacy those countries had inherited. Zimbabwe was trying to blaze a trail in resolving the issue. Resources promised to help deal with the problem, had not been forthcoming. Among the steps being taken was a bill that had been approved in Cabinet to impose a heavy agricultural land tax on all land exceeding a fixed surface area. It was hoped that the revenue accruing from the tax would help towards paying compensation. Outlining the controversy about paying compensation for land which had originally been taken away without compensation, even though the current owners might have purchased it, he said that how those problems were resolved would greatly depend on the success

of the agricultural land tax. If sufficient resources were not accumulated, it was not inconceivable that certain land would be taken without compensation. The problem of land reform in Zimbabwe was compounded by the issue of race and ethnic origin. He was convinced that a solution could be found. Whenever his Government had stated that it might actually take land without paying compensation, although it had not done so to date, Zimbabwe had been punished by the international community. Many of the problems currently facing Zimbabwe had been due to the withdrawal of confidence by the international community as a result of statements made on the land issue.

The meeting rose at 6 p.m.